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**ATTORNEYS FOR PLAINTIFF**

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MONTANA  
HELENA DIVISION**

**DEWAYNE BEARCHILD,**

Plaintiff,

**v.**

**LARRY PASHA,**

Defendant.

Case No. 6:14-cv-00012-DLC

**PLAINTIFF'S MOTION FOR  
A NEW TRIAL**

Plaintiff Dewayne Bearchild, by and through pro bono counsel, respectfully requests that the Court vacate the judgment (Doc. 370) and order a new trial under Federal Rule of Civil Procedure 59. The Court should exercise its inherent discretion to grant a new trial following a jury verdict “for any reason for which a new trial has heretofore been granted in an action at law in federal court.” Fed. R. Civ. P. 59(a)(1)(A). Plaintiff requests that a new trial be granted on the following grounds: (1) that Question Q-1 in the final verdict form was unnecessary and likely caused juror confusion, and (2) that the jury verdict should be vacated in the Court’s discretion to prevent a miscarriage of justice.

Counsel for Mr. Bearchild sought Defendant’s position. Defendant opposes the motion. A brief in support of this motion is filed contemporaneously herewith.

Dated this 26th day of June, 2021.

/s/ Andrew LeGrand

Andrew LeGrand

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